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Trustee for the Substantively Consolidated SIPA  
Liquidation of Bernard L. Madoff Investment  
Securities LLC and Bernard L. Madoff*

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION  
CORPORATION,

Plaintiff,

v.

BERNARD L. MADOFF INVESTMENT  
SECURITIES LLC,

Defendant.

In re:

BERNARD L. MADOFF,

Debtor.

Hearing Date: November 24, 2009  
Time: 10:00 a.m.

Objections Deadline: November 20, 2009  
Time: 4:00 p.m.

Adv. Pro. No. 08-01789 (BRL)

SIPA Liquidation

(Substantively Consolidated)

**NOTICE OF TRUSTEE'S MOTION FOR AN ORDER PURSUANT TO 15 U.S.C.  
SECTION 78fff(a) (SECURITIES INVESTOR PROTECTION ACT) AND  
SECTIONS 105(a) AND 363 OF THE BANKRUPTCY CODE AUTHORIZING  
THE AMENDMENT, TERMINATION AND LIQUIDATION OF  
DEBTOR'S 401(k) PLAN, EFFECTIVE NOVEMBER 30, 2009**

Irving H. Picard, Esq., as trustee for the substantively consolidated liquidation of Bernard L. Madoff Investment Securities LLC (“BLMIS”) and the estate of Bernard L. Madoff, by and through his undersigned counsel, will move before the Honorable Burton R. Lifland, United States Bankruptcy Judge, at the United States Bankruptcy Court, the Alexander Hamilton Customs House, One Bowling Green, New York, New York 10004-1408, on **November 24, 2009 at 10:00 a.m.**, or as soon thereafter as counsel may be heard, seeking entry of an order, authorizing the Trustee to enter into amendments, effective November 30, 2009, or as soon as feasible thereafter, to and effectuate the termination and liquidation of the Debtor’s 401(k) Plan, the sole employee pension benefit plan sponsored and maintained by the Debtor.

**PLEASE TAKE FURTHER NOTICE** that written objections to the Motion must be filed with the Clerk of the United States Bankruptcy Court, One Bowling Green, New York, New York 10004 by no later than **4:00 p.m. on November 20, 2009** (with a courtesy copy delivered to the Chambers of the Honorable Burton R. Lifland) and must be served upon (a) Baker & Hostetler LLP, counsel for the Trustee, 45 Rockefeller Plaza, New York, New York 10111, Attn: Oren J. Warshavsky, Esq. and (b) the Securities Investor Protection Corporation, 805 Fifteenth Street, NW, Suite 800, Washington, DC 20005, Attn: Kevin H. Bell, Esq. Any objections must specifically state the interest that the objecting party has in these proceedings

and the specific basis of any objection to the Motion.

Dated: New York, New York  
November 10, 2009

By: s/Alissa M. Nann  
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